

**REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 18, 1997
7:00 P.M.**

1. ROLL CALL

Present: Council Members - Land, Mann, Sieglock, Warner and Pennino (Mayor)

Absent: Council Members - None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Ronsko, Community Development Director Bartlam, Deputy City Attorney Luebberke, and Acting City Clerk Reimche

2. INVOCATION

The invocation was given by Pastor Bill Crabtree, Emanuel Lutheran Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pennino.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Steve Marks of the Greater Lodi Area Youth Commission apprised the City Council that the Greater Lodi Area Youth Commission, in conjunction with the Lodi Sunrise Rotary Club and Christopher J. Olsen, CFP American Express Financial Advisors, is sponsoring a program entitled **Honoring Teens**. The Lodi Youth Commission Leadership Committee selects one teen to be awarded **Teen of the Month** from applications submitted to the Commission from the general public, various schools, and church groups. This month's **Teen of the Month** is Meghann Arnold from Lodi High School.

In addition this month, the Commission is awarding an **Honorable Mention, Teen of the Month** to Kristin Morone from St. Mary's High School.

- b) Following introduction of the matter by Virginia Snyder, Eastside Improvement Committee, the following presentations were made regarding the American Bungalow Home Tour:
- I. Ann Hughes, Co-Chair of the 1997 American Bungalow Home Tour presented a check to Nancy Martinez, Librarian, in the amount of \$1500.00 - this check was made possible by a grant from Communities Together Coalition.
 - II. Virginia Snyder, Co-Chair of the 1997 American Bungalow Home Tour presented a check in the amount of \$1,350 to Ruth Jamieson of the Lodi Historical Society.

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Mann, Sieglock second, approved the following items hereinafter set forth:

The following items were removed from the agenda and discussed and acted upon at another point on the agenda:

- a) Agenda item E-3 - Plans and specifications and advertisement for bids for security retrofit of Library stairwells.
- b) Agenda item E-10 - Purchase of one LCD projector. (\$6,771.01)
- c) Agenda item E-13 - Purchase of Police surveillance camera equipment for City parks. (\$30,000)
- d) Agenda item E-20 - Addition of Section 7 (Insurance) to Fleet Policies and Procedures

Mayor Pennino abstained from voting on the following matter because of a possible conflict of interest:

- a) Agenda item E-24 - California Energy Commission Grant for Compressed Natural Gas Engines for Transit Buses
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- a) Claims were approved in the amount of \$2,804,208.32 and disbursements through wire transfers in the amount of \$2,116,453.60.
FILE NO. CC-21(a)
 - b) The minutes of June 4, 1997 (Regular Meeting) were approved as written.
 - c) Plans and specifications were approved for bids for security retrofit of Library stairwells.
FILE NO. CC 12.1(c) - This item was pulled from the Consent Calendar and discussed and acted upon at another point on the agenda.
 - d) Specifications and advertisements for bids for one-ton pickup truck with utility bed for Street and Water/Wastewater Divisions.
FILE NO. CC-12.1(b)
 - e) Specifications and advertisements for bids for vibratory roller with tandem trailer for Street Division.
FILE NO. CC-12.1(b)
 - f) Specifications and advertisement for bids for purchase of rifles for Police Department.
FILE NO. CC-12.1(b)
 - g) Specifications and advertisement for bids for one-ton dump truck for Street Division.
FILE NO. CC-12.1(b)
 - h) Specifications and advertisement for bids for polemount and padmount transformers.
FILE NO. CC-12.1(b)
 - i) Adopted Resolution No. 97-73 awarding the bid for the purchase of 20,000 feet of #2AWG, and 20,000 feet of #2/0 primary underground conductor to the low bidders in each size category, BICC Cables of Huntington Beach (\$19,438.10), and Platt Electric of Stockton (\$23,292.37).
FILE NO. CC-12(a)
 - j) Purchase of one LCD projector (\$6,771.01) was removed from the Consent Calendar and discussed at another point on the agenda.
FILE NO. CC-12(d)

- k) Adopted Resolution No. 97-75 awarding the bid for the purchase of (1) One Covered Truck Service Body to the low bidder, Diamond Truck Body of Stockton, in the amount of \$14,421.50.
FILE NO. CC-12 (d)
- l) Adopted Resolution No. 97-76 approving the purchase of Rainbird Maxicom computerized irrigation software for the parks system.
FILE NO. CC-12(d)
- m) Purchase Police surveillance camera equipment for City parks (\$30,000) was removed from the Consent Calendar and discussed and acted upon at another point on the agenda.
FILE NO. CC-12(d)
- n) Adopted Resolution No. 97-78 awarding the contract for Fairmont Avenue Street Improvements (Kettleman Lane to Vine Street) and Lockeford Street Street Improvements (500 Feet West of Ham Lane to Ham Lane, and California Street to Pleasant Avenue). (\$256,380)
FILE NO. CC-12(c)
- o) Adopted Resolution No. 97-79 awarding the contract for Century Boulevard Street Overlay (Ham Lane to Church Street) and Turner Road Street Overlay (Beckman Road to East End of Turner Road) (\$256,550).
FILE NO. CC-12(c)
- p) Adopted Resolution No. 97-80 awarding the contract for Signal Modifications, Various Locations (\$31,500) to Collins Electric Company in the amount of \$31,500 and appropriating the necessary funds.
FILE NO. CC-12(a)
- q) Adopted Resolution No. 97-81 awarding the contract for Maintenance of Landscape Areas for Fiscal Year 1997/98 to Bains Gardening and Landscaping in the amount of \$43,464.00.
FILE NO. CC-12(a)
- r) Adopted Resolution No. 97-82 awarding the contract for Asphalt Material for Fiscal Year 1997/98 (\$109,060).
FILE NO. CC-(d)
- s) Adopted Resolution No. 97-83 awarding the contract for Rock and Sand Material for Fiscal Year 1997/98 (\$8,200).
FILE NO. CC-(d)
- t) Addition of Section 7 (Insurance), to Fleet Policies and Procedures was removed from the Consent Calendar and discussed and acted upon at another point on the agenda.
FILE NO. CC 21.1(f)
- u) Adopted Resolution No. 97-85 amending Section 2(B) of Traffic Resolution No. 87-163 by approving the conversion of Aspen Grove Drive, Banyan Drive and Vineyard Drive, Through-Street Study.
FILE NO. CC 45(a)
- v) Authorized the Lodi Police Department to modify the Citizens Option for Public Safety grant to authorize the purchase of .223 rifles for Police Patrol and designated Detective units.
FILE NO. CC 152

- w) Adopted Resolution No. 97-86 authorizing the City Manager to execute the Federal Transit Administration Contract, Grant No. CA-90-X815 for fiscal year 1995/96.
FILE NO. CC 50 (a) (b)
 - x) Adopted Resolution No. 97-87 accepting the California Energy Commission Grant for compressed natural gas (CNG) engines for Transit buses and authorizing the City Manager to execute the agreement; and appointed the Transportation Manager, Carlos Tobar as Project Manager for this grant. Mayor Pennino abstained from voting on this matter because of a possible conflict of interest.
FILE NO. CC-50 (a) (b)
 - y) Appropriated \$50,000 to replace playground equipment at Heritage School.
FILE NO. CC 7(e)
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6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item E-3 - Plans and specifications and advertisement for bids for security retrofit of Library stairwells which was removed from the Consent Calendar was introduced by City Manager Flynn who indicated that the funding source should be changed from the Contingency Fund to the General Fund Capital.

On motion of Mayor Pro Tempore Sieglock, Warner second, the plans and specifications and advertisement for bids for security retrofit of Library stairwells was approved by the City Council with the funding source being General Fund Capital.
FILE NO. CC 12.1 (c)

- b) Agenda item E-10 – Purchase of one LCD projector (\$6,771.01) which was removed from the Consent Calendar was introduced by staff. The City Council was apprised that the following three bids were received and opened on May 7, 1997:

- Audio Graphic Systems, (Hitachi Model CP-L750) - \$6,332.47
- Minnesota Western, (Sharp XG-NVI) - \$6,771.01
- Imaging Products International (Proxima DP 5600) - \$7,677.18

The bid specifications required that "bidders whose proposals represent the three lowest bids offered (for equipment meeting specifications) will ...provide demonstration projectors...for evaluation. Equipment determined by the City of Lodi to offer the best value will be recommended for purchase." This requirement provided the City with an opportunity to follow the so-called "golden rule" of buying an LCD projector: "Always get a demonstration of the models..., preferably under conditions similar to those in which you'll use the projector" Important considerations in the evaluation were sharpness and clarity, brightness, colors, contrast, and overall image quality.

Both the Hitachi and the Proxima met specifications. The Sharp did not meet specifications in two areas (power focus and zoom, and number of RGB input ports); in image quality, it and the Hitachi were ranked about equal. However, the Sharp was the only projector that could be connected successfully with the computer with which it will most frequently be used. In addition, it was the only model offering a three-year on-site warranty; the others offered one-year, mail-in coverage. Therefore, for connectivity, picture quality, and warranty considerations, staff believed the Sharp to be the best value for the City, and staff recommended award to Minnesota Western.

Discussion followed with questions being directed to staff regarding the matter. Following additional discussion, the City Council concurred that the matter be pulled from this agenda and be brought back to the City Council at a later date.

FILE NO. CC 12-(d)

- c) Agenda item E-13 - Purchase of Police surveillance camera equipment by City Parks (\$30,000) which was pulled from the Consent Calendar was discussed. Questions regarding the matter were posed by members of the City Council and were responded to by staff.

On motion of Mayor Pro Tempore Sieglock, Mann second, it was determined that it was in the City's best interest to have a sole bidder, and the City Council adopted Resolution 97-77 - A Resolution of the Lodi City Council Authorizing the Purchase of Police Surveillance Camera Equipment for City Parks.

FILE NO. CC 20

- d) Agenda item E-20 - Addition of Section 7 (Insurance) to Fleet Policies and Procedures which was pulled from the Consent Calendar was discussed. Council Member Land stated that he agrees with recommendation of the City's Risk Manager, but suggested that the City require that employees provide the City with Certificates of Insurance. Following additional discussion, on motion of Council Member Land, Sieglock second, the City Council adopted Resolution No. 97-84 - A Resolution of the Lodi City Council Approving the Addition of Section 7 - Insurance to the Fleet Policies and Procedures. FILE NO. CC 21.1 (f)

7. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the Public Hearing to receive public comment on the Northern California Power Agency Integrated Resource Plan (IRP) and to approve the IRP for submittal.

Mayor Pennino abstained from discussion and voting on this matter because of a possible conflict of interest. Mayor Pennino left his seat at the Council table and this segment of the agenda was presided over by Mayor Pro Tempore Sieglock.

Staff apprised the City Council that this hearing is being held to meet the public involvement process portion of the IRP as required by the Energy Policy Act of 1992 (EP Act) and the Department of Energy. Energy Planning and Management Program (Program). The Program goal is to promote the efficient use of electrical energy by Western's customers and to extend Western's long-term firm commitments in support of customer IRP's.

Western customers, such as the City of Lodi, must complete an IRP containing Two-Year and Five-Year Action Plans. As a minimum, the City must submit or have submitted on its behalf an updated IRP every five years and provide yearly IRP progress reports to Western. Additionally, each utility must conduct a public involvement process that provides opportunity for public comments on information and recommendations contained in the proposed IRP. Comments resulting from the public involvement process and a copy of the resolution approving the City's IRP must accompany the IRP submittal to Western.

Lodi and the cities of Alameda, Biggs, Gridley, Healsburg, Lompoc and Ukiah and the Plumas-Sierra Rural Electric Cooperative are making a joint IRP filing through the Northern California Power Agency.

The proposed IRP contains the following sections:

- Introduction
- Customer Surveys
- Load Forecast
- Resource Requirements and Description
- DSM Analysis
- Least Cost Resource Plan
- Two- and Five-Year Action Plans
- Monitoring Program for Two and Five-Year Action Plans
- Environmental Impacts
- Public Involvement Process

The IRP requirements of the EP Act are intended to help insure acquisition of least cost resources by Western's customers and to insure efficient use of all resources in each customer's portfolio. At the time of the passage of the EP Act, Lodi was completing acquisition of power resources through NCPA to meet its rapidly growing demand. These resources both plants and contracts, were intended to make the City self-sufficient in a time of high alternate resource costs and severe limits on access to alternate bulk power markets.

Subsequently, City resource needs decreased due to customer self-generation and a general slowdown in overall load growth. As a result, the City has sufficient electric power capacity resources to last into the next century. Based on current forecasts, the City will not require additional capacity resources until the 2004 to 2007 time frame, at which time new capacity is expected to be provided from the emerging competitive generation market.

With the progression of electric utility industry restructuring and the steep drop in market prices, a "no build" policy is recommended for the foreseeable future.

Currently, NCPA and the Electric Utility Department are investigating possible power cost savings in the following areas.

- Non-renewal, renegotiation and/or termination of contracts which are no longer competitive in the new energy market;
- Reduction in operation of existing projects whenever market energy prices are lower than the project's variable fuel costs;
- Retirement or sale of non-economic projects; and
- Marketing of surplus resources

Electric Utility Director, Alan N. Vallow and Business Planning and Market Manager, Jack Stone presented the staff report.

Public Involvement Process

Hearing Opened to the Public

There were no persons in the audience wishing to speak on this matter.

Public Portion of Hearing Closed

ACTION:

On motion of Council Member Warner, Mann second, the City Council adopted Resolution No. 97-88 - A Resolution of the Lodi City Council Approving Northern California Power Agency Integrated Resource Plan (IRP) For Submittal to the Western Area Power Administration by the following vote:

Ayes: Council Members - Land, Mann, Sieglock, and Warner

Noes: Council Members - None

Abstaining from discussion and voting on this matter was Mayor Pennino
FILE NO. CC 7(j)

Mayor Pennino returned to his seat at the Council table.

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the Public Hearing to consider the technical equipment purchase proposal for local Law Enforcement Block Grant Program.

Police Chief Hansen introduced this public hearing advising that on July 17, 1996, the City Council authorized the Lodi Police Department to accept Local Law Enforcement Block Grant Program Funds in the amount of \$104,057 and provide 11% matching funds in the amount of \$11,561. The source of the matching funds will be taken from the General fund.

The City applied for, and received the Grant Award on February 19, 1997. The funds were placed in a special revenue fund pending dispersal.

On May 22, 1997 an Advisory Board convened and reviewed the proposal for the disbursement of those funds. The proposal indicated that in combining this grant money with the COPS More grant funding, the police department has over \$600,000 to spend on Mobile Data Computers, Computer Automated Dispatch, a new radio infrastructure and report writing software.

One immediate result of the additional technology from research of other cities is that rate of stolen cars recovered immediately increases. Officers were able to run licenses and warrant checks from their cars and are more likely to use the computers provided because of the ease of accessibility and speed of response.

Persons comprising the Advisory Board were named, and it was pointed out that the Advisory Board agreed with the proposal and make no other recommendations.

Hearing Opened to the Public

There were no persons in the audience wishing to address the City Council on this matter.

Public Portion of Hearing Closed

ACTION:

On motion of Mayor Pro Tempore Sieglock, Warner second, the City Council adopted Resolution No. 97-89 authorizing the Lodi Police Department to purchase Computer Aided Dispatch equipment (CAD) from the Data 911 Computer Company, which is the same vendor that was selected for the Mobile Data Terminals (MDT) with funds from the Local Law Enforcement Block Grant Funds in the amount of \$115,618.

FILE NO. CC 152

8. **COMMUNICATIONS (CITY CLERK)**

- a) Acting City Clerk Reimche read the following ABC Licenses:
1. Kenneth J. Schmollinger, Capri Pizza, 114 West Pine Street, Lodi, On-Sale Beer & Wine, Premise to Premise Transfer
 2. Stockton Savings Bank to Charles W. and Clara J. Hess, Cherokee Lounge, 920 South Cherokee Lane, Suite D, Lodi, On-Sale General, Person to Person and Premise to Premise Transfer
 3. William Condon to Kirsten K. Younkin, 116 West Turner Road, Suite D, Lodi, On-Sale General, Person to Person Transfer
FILE NO. CC-7(f)
- b) Acting City Clerk Reimche reported that the appropriate posting had been done for the two terms expiring on the Planning Commission.
- c) On motion of Council Member Warner, Mann second, the City Council concurred with appointments and reappointments to the following City Boards and Commissions by Mayor Pennino.

LODI ARTS COMMISSION - 3 Year Term

Rex Reynolds
Susan Maley
Marlo Kerner
William Crabtree
Sherri Smith

LODI PLANNING COMMISSION - 4 Year Term

W. John Schmidt

LODI LIBRARY BOARD OF TRUSTEES - 3 Year Term

David Duncan

LODI EASTSIDE IMPROVEMENT COMMITTEE - 3 Year term

Ann Larson

FILE NO. CC-2(d)

FILE NO. CC-2(g)

FILE NO. CC-2(k)

FILE NO. CC-2(s)

9. **REGULAR CALENDAR**

- a) David Vaccarezza, President and owner of California Waste Recovery Systems addressed the City Council advising that California Waste Recovery Systems (CWRS) has entered into a definitive agreement to merge their company with United Waste Systems. The company will operate under the name **California Waste Removal Systems**.

The City Council was apprised that United Waste Systems is one of the fastest growing solid waste management firms in the United States. It is comprised of local family-owned refuse businesses. They have an outstanding record for providing quality customer service. This merger has been structured in a manner to avoid any inconvenience to Lodi customers. Customers will continue to deal with the same people on a daily basis and will receive the same level of high quality service they have come to expect. The Vaccarezza family will continue to be integral in all CWRS operations. David Vaccarezza will become Regional Vice President. Thom Sanchez becomes the General Manager and Annette Murdaca acquires the role of Administrator.

The current franchise agreement between the City of Lodi and CWRS was entered into beginning July 1, 1989. The agreement provides for two seven year terms at the option of the contractor, and two seven year terms at the option of the City. We are currently in the eighth year of the contract, leaving approximately six years on the current term, followed by renewals at the option of the City.

The contract specifies that assignment requires City consent. Assignment of the contract to United Waste Systems requires that United Waste Systems assume all terms and conditions of the contract and the rate methodology. United Waste Systems has been fully informed of these terms and conditions and is eager to accept assignment of the contract.

Council Member Warner abstained from discussion and voting on this matter because of a possible conflict of interest.

Members of the City Council extended their congratulations to the Vaccarezza family and expressed appreciation for their outstanding service to the community for these many years.

Numerous questions regarding the merger, the disposition of employees at the plant etc. were responded to by Mr. Vaccarezza.

Following discussion, with questions being directed to Mr. Vaccarezza, the City Council, on motion of Council Member Mann, Sieglock second, adopted Resolution No. 97-74 - A Resolution of the Lodi City Council Approving California Waste Recovery Systems Request for Approval of Assignment of Franchise Agreement with the City of Lodi for Refuse Collection and Processing by the following vote:

Ayes: Council Members - Land, Mann, Sieglock and Mayor Pennino

Noes: Council Members - None

Abstaining from voting on this matter was Council Member Warner.
FILE NO. CC - 22(b)

- b) The City Council was apprised that the Parks, Recreation and Open Space Plan, developed by City staff and public input, calls for the construction of a basketball court at Legion Park. This plan was adopted by City Council in January 1994 and staff is moving forward in completing its recommendations.

The Council was informed that existing and soon to be constructed basketball court in the City's parks include: Century Park (1) court; Blakely Park (2 half courts); Hale Park (1 court); Hutchins Street Square (2 courts); Peterson Park (1 court); Van Buskirk (1/2 court).

Future basketball installations include: Bridgetowne Development (1 court); Roget Park (1 court), DeBenedetti Park (2 courts); Richards Ranch (1 court).

Numerous exhibits and diagrams regarding this matter were presented for the City Council's perusal.

City Manager Flynn stated that the proposal for Legion Park is for a **family basketball court** with no lights or parking.

The following persons addressed the City council regarding the matter:

1. Mr. Jack Loftus, 609 Windsor Drive, Lodi stated that he doesn't think there should be a basketball court there. He also indicated that this should be a children's park and suggested that the matter be set aside for further consideration.
2. Parks and Recreation Commissioner Bob Johnson stated that the Parks and Recreation Commission had met the night before and were disappointed that the Council took it back after they had referred the matter to the Commission. He further stated that the Parks and Recreation Commission at this time is absolutely neutral on the matter, but feels that this had moved forward too fast and that steps should be considered for public input.
3. Ruby Martel, Vine Street, Lodi indicated that she has lived there since 1955. She stated that she feels that this is a children's park and that they don't need any more cement around this park.

Following discussion, with questions being directed to Staff, the City Council, on motion of Mayor Pro Tempore Sieglock, Pennino second, approved the construction of one basketball court at Legion Park with no lights and no parking.

The motion carried by the following vote:

Ayes: Council Members - Land, Mann, Sieglock and Mayor Pennino

Noes: Council Members - Warner

Absent: Council Members - None

FILE NO. CC- 27(c)

FILE NO. CC-40

Mayor Pennino abstained from discussion and voting on the following matter because of a possible conflict of interest and asked that Mayor Pro Tempore Sieglock preside over this segment of the meeting.

- c) Community Development Director Bartlam reminded the City Council that on September 18, 1996, Mr. Weisz, the owner at 1936 Edgewood Drive, requested to build a swimming pool that was denied by staff because it straddled the rear property line and encroached onto City owned property.

Community Development Director Bartlam stated that the City Council had directed staff to have an appraisal prepared and to share the information with the balance of the property owners along Edgewood Drive who have similar conditions. An appraisal was completed by Swanberg & Associates with a value placed on the City property of \$.80 per square foot. In April, a letter was sent to all of the property owners that have a contiguous property line with the City land adjacent to the levee. Of the eighteen properties, four owners contacted Mr. Bartlam to give their preference of options. The alternatives outlined were:

1. Do nothing. In other words, allow the current situation to exist as is and wait for another issue to bring this to our attention. This is not our preferred alternative because it does not address the issue.
2. Sell the strip of property to the adjacent owners. The City Council has authorized an appraisal of the property. If the Council so chooses, sale could take place at the appraised amount which is \$.80 per square foot.
3. Provide for an Encroachment Permit to be issued to any owner of property that has in fact done so. Some caveats may be placed on this permit; such as, naming the City as an additional insured on your homeowner's insurance policy.

Responses have been received from four owners. Three owners stated their desire to purchase the strip and one preferred to do nothing, but understood the City's need for an encroachment permit.

It was staff's recommendation that the City Council offer the strip for sale to any property owner who chooses to purchase at the appraised value. The strip should include the slope of the levee. Finally, staff believes it would be prudent to direct the City Attorney to draft language for a covenant that can be recorded on those properties whose owners have improvements on City property but are not desirous of buying that strip. This recorded instrument would put all future owners on notice about the encroachment and provide for some level of liability protection for the City.

Mr. Bryan Weiz, 1936 Edgewood Drive, Lodi addressed the City Council expressing his appreciation of Mr. Bartlam's handling of this matter and his attempts to resolve it. He stated that he was surprised at the appraisal of \$.80 per square foot. He said that additional problems came about after the development of the Wilderness Area. He concluded by saying that he would like to have the matter resolved and be done with it.

A lengthy discussion followed with questions being directed to Community Development Director Bartlam. It was suggested that a deadline of perhaps December 31, 1997 be set to accept the \$.80 per square foot amount. A number of other alternatives were suggested and discussed.

The City Council indicated its concern that it favored moving forward with this matter, allowing the \$.80 per square foot to a date certain, and to make sure that the encroachment process be made as simple as possible.

Following discussion, with questions being directed to staff, the City Council, on motion of Council Member Warner, Sieglock second, approved selling the City property to adjacent owners for the appraised amount of \$.80 per square foot and that this price shall be in effect until December 31, 1997. Further, the City Attorney was directed to prepare and record a notice on those properties not purchasing the strip informing current and future owners of the homes on Edgewood of the condition.

The motion carried by the following vote:

Ayes: Council Members - Land, Mann, Sieglock, and Warner

Noes: Council Member - None

Mayor Pennino abstained from voting on this matter.
FILE CC-27(a).

10. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

Agenda item J - Comments by the public on non-agenda items was taken out of order at this time.

1. Eddie Richter, 525 Louie Avenue, Lodi addressed the City Council stating that he had been advised that the glass in front of his business in the downtown area is about 5" from the sidewalk and that it had to be changed to meet the building requirements in that area.

Community Development Director Bartlam stated that according to the Downtown Development Standards and Guidelines for property located in the subject area that his barber shop is clearly within the guidelines and will not be affected.

Following questioning by Council Member Mann, Mr. Richter indicated that it was a customer of his who told him this and that it was not a City official.
FILE NO. CC NO.72

11. RECESS

Mayor Pennino declared a five-minute recess and the City Council reconvened at approximately 9:10 p.m

12. REGULAR CALENDAR (CON'T)

- d) Review continued regarding the proposed 1997/98 Operating and Capitol Improvement budgets and the proposed projected 1998/1999 Operating and Capitol Improvement budgets. City Manager Dixon Flynn gave a broad overview of the budget and highlighted major points involved in the proposed budget. It was indicated that further review of the budget document will be made at a Special City Council Meeting to be held Friday, June 20, 1997 at 7:00 a.m.
FILE NO. CC-21(b)

13. ORDINANCES

- a) Ordinance No. 1649 entitled, " An Uncodified Ordinance of the Lodi City Council Adopting the Downtown Development Standards and Guidelines for Property Generally Located South of Lockeford Street, West of the Southern Pacific Railroad Right-of-Way and Parcels Along Lodi Avenue to the South and East of Pleasant Avenue" having been introduced at a regular meeting of the Lodi City Council held June 4, 1997, was brought up for passage on motion of Mayor Pro Tempore Sieglock, Land second.

Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members -Land, Sieglock, Warner, and Pennino (Mayor)

Noes: Council Members - Mann

Absent: Council Members - None

Council Member Mann indicated that he was voting no because of his concerns regarding the requirements involved in the subject Standards and Guidelines regarding window signage.

FILE NO. CC - 35

FILE NO. CC-72

14. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Mann, Mayor Pennino, and the members of the Lodi City Council expressed congratulations to Deputy City Clerk Jackie Taylor and her husband, Dale on the birth of their son Jeffrey Kenneth on June 17, 1997. Jeffrey Kenneth weighed 9 lbs. 7 oz. at birth and mother and baby are doing fine.
- b) Mayor Pennino stated that he would like to have a recap of all the grants the City of Lodi has received in this last five years. The Mayor indicated that he feels that the City made a very wise decision to pursue these grants over the years.
- c) City Manager Flynn announced that next month on July 14, 1997 is Council Member Mann's birthday and July 2, 1997 is Alan Vallow's birthday.

Further, Mr. Flynn recognized the following City employees for doing an outstanding job on the Downtown Revitalization Project, both on Cherokee Lane and downtown. They have done an excellent job and been very responsive to the citizens and to the people who work there and have worked very well with the contractors. They certainly deserve a note of thank you for the job they have done.

West Fujitani

Curtis Juran

Will McVicker

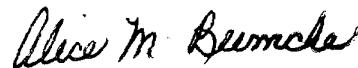
15. CLOSED SESSION

No Closed Session of the City Council was held at this meeting.

16. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 9:45 p.m. to 7:00 a.m., Friday, June 20, 1997.

ATTEST:



Alice M. Reimche
Acting City Clerk